

are now competent to enhance the tax fixed at the last *Cherikkal* Settlement before the expiry of thirty years, and, if so, under what rules?

MR. R. KRISHNA PILLAI (*Chief Secretary to Government*): The member is referred to the answer to part (b) of question No. 77.

Rules re. Collection of Arrears from Pandarapattam and Cherikkal Lands.

88. MR. K. DOMINIC TOMMAN (*Peermade cum Devicolam*): Will the Government be pleased to state the rules under which arrears of tax are realised both for *pandarapattam* and *jenmam cherikkal* lands and the number of years for which such arrears could be realised for lands under both these tenures?

MR. R. KRISHNA PILLAI (*Chief Secretary to Government*): Under the *Puduval Rules*, in the case of Government lands newly registered as *Pandarapattam*, arrears of tax are recoverable for a period not exceeding five years. In levying assessment or enhanced assessment under the *Karampathippu Rules* also, arrears of tax are recoverable for a period not exceeding five years. But in cases of rectification of settlement mistakes in accordance with the decisions of civil courts or otherwise, arrears of tax are recoverable from the year in which settlement tax was introduced in the taluk in which the lands are situated, whether the lands are decreed as *jenmam cherikkals* or as *pandarapattam* registries, provided that the lands have been in the occupation of the holders concerned since the time of the settlement. If the lands have not been in their occupation, arrears are recovered from the year in which they got possession. Neither the *Puduval Rules* nor the *Karampathippu Rules* apply to cases of rectification of settlement mistakes.

Application of Karampathippu Rules to Cherikkal Lands.

89. MR. K. DOMINIC TOMMAN (*Peermade cum Devicolam*): Will the Government be pleased to take the opinion of their law officers so that the *cherikkal* lands declared as *jenmam* lands may not be dealt with under the *Karampathippu Rules* and so that unnecessary trouble and expense may be avoided to the Government and to the landholders concerned?

MR. R. KRISHNA PILLAI (*Chief Secretary to Government*): Government do not consider it necessary to take legal opinion in the matter. The *Karampathippu Rules* will not apply to lands declared as *jenmam cherikkals*. But lands declared as ordinary *jenmam* lands will be governed by the said rules.

MR. K. DOMINIC TOMMAN (*Peermade cum Devicolam*): Will the Government be pleased to say, what difference is there between the general *cherikkal* lands and ordinary *jenmam* lands?

MR. R. KRISHNA PILLAI (*Chief Secretary to Government*): What are known as ordinary *jenmam* lands are lands which come within the purview of the Jenmi and Kudiyan Regulation, V of 1071.

[Mr. K. Dominic Tomman.]

MR. K. DOMINIC TOMMAN (*Peermade cum Devicolam*): Will *cherikkal* lands come under that Regulation?

MR. R. KRISHNA PILLAI (*Chief Secretary to Government*): No.

MR. K. DOMINIC TOMMAN (*Peermade cum Devicolam*): Under what Section, does he say that they do not come under the purview of that Regulation?

MR. R. KRISHNA PILLAI (*Chief Secretary to Government*): I believe the term "*jenmam* land" is defined in the Jenmi-Kudiyan Regulation.

MR. K. DOMINIC TOMMAN (*Peermade cum Devicolam*): Cannot that Section cover the *cherikkal* lands also?

MR. R. KRISHNA PILLAI (*Chief Secretary to Government*): No. It is however a matter of interpretation.

MR. K. DOMINIC TOMMAN (*Peermade cum Devicolam*): By whom is it to be interpreted?

MR. R. KRISHNA PILLAI (*Chief Secretary to Government*): I think any lawyer can interpret that Section.

MR. K. DOMINIC TOMMAN (*Peermade cum Devicolam*): Is there any authority for the interpretation given by the Chief Secretary?

MR. R. KRISHNA PILLAI (*Chief Secretary to Government*): That *cherikkal* lands do not come under the purview of the Jenmi and Kudiyan Regulation is clear from Section III (1).

MR. K. DOMINIC TOMMAN (*Peermade cum Devicolam*): Government say, "the karampathippu lands.—These lands will not apply to lands declared *jenmam cherikkals*, but lands declared as ordinary *jenmam* lands will be governed by the said rules". Will the Government be pleased to say what rules apply to these *cherikkal* lands?

MR. R. KRISHNA PILLAI (*Chief Secretary to Government*): The *Cherikkal* Rules.

MR. K. DOMINIC TOMMAN (*Peermade cum Devicolam*): Have these rules been cancelled?

MR. R. KRISHNA PILLAI (*Chief Secretary to Government*): No.

Grazing Grounds in Devicolam Taluk.

90. MR. K. DOMINIC TOMMAN (*Peermade cum Devicolam*):

(a) Will the Government be pleased to state the distance between the villages of Karayur, Marayur and Kizhantur and the State reserved forests nearest to these villages?